



RULE-MAKING ORDER

CR-103 (June 2004)
(Implements RCW 34.05.360)

Agency: Insurance Commissioner

☒ **Permanent Rule**
☐ **Emergency Rule**

Effective date of rule:

Permanent Rules

☒ 31 days after filing.
☐ Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Effective date of rule:

Emergency Rules

☐ Immediately upon filing.
☐ Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

☐ Yes ☒ No If Yes, explain:

Purpose: The purpose of this rule making is to correct a reference and make the regulation more clear.

Insurance Commissioner Matter No. R 2004-06

Citation of existing rules affected by this order:

Repealed:
Amended: WAC 284-13-580
Suspended:

Statutory authority for adoption: RCWs 48.02.060, 48.12.154

Other authority :

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 04-19-143 on September 22, 2004 (date).
Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
Address: _____ fax () _____
e-mail _____

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- ☐ That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- ☐ That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

Date adopted: January 4, 2005

NAME (TYPE OR PRINT)

Mike Kreidler

SIGNATURE

TITLE

Insurance Commissioner

CODE REVISER USE ONLY
Information input by Agency

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

JAN 4 2004

TIME 4:34 PM
WSR 05-02-075

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	<u>1</u>	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	<u>1</u>	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	<u>1</u>	Repealed	_____

A.MENDATORY SECTION (Amending Order R 93-6, filed 9/1/93, effective 10/2/93)

WAC 284-13-580 Reinsurance contract. ~~((Credit will not be granted to a ceding insurer for reinsurance effected with assuming insurers meeting the requirements of this regulation or otherwise in compliance with RCW 48.12.160 after the adoption of this regulation unless))~~ The reinsurance agreement between any ceding insurer claiming credit for reinsurance and an assuming insurer that meets the requirements of this regulation or is in compliance with RCW 48.12.160 and 48.12.162 must include:

(1) ~~((Includes))~~ A proper insolvency clause pursuant to RCW ~~((48.12.160(2)))~~ 48.12.162 (1)(b); and

(2) ~~((Includes))~~ A provision ~~((whereby the))~~ stating that an unauthorized assuming insurer ~~((if an unauthorized assuming insurer))~~:

(a) Has submitted to the jurisdiction of an alternative dispute resolution panel or court of competent jurisdiction within the United States ~~(())~~ ;

(b) Has agreed to comply with all requirements necessary to give such court or panel jurisdiction ~~(())~~ ;

(c) Has designated an agent upon whom service of process may be effected ~~(())~~ ; and

(d) Has agreed to abide by the final decision of such court or panel.